

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - X

UNITED STATES OF AMERICA

:

: INDICTMENT

- v. -

: S1 09 Cr. 384

JEFFREY SIMOES,

a/k/a "Speedy,"

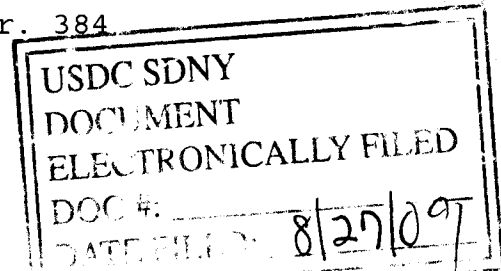
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Defendant.

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COUNT ONE



The Grand Jury charges:

1. From at least in or about December 2007 up to and including in or about February 2008, in the Southern District of New York and elsewhere, JEFFREY SIMOES, the defendant, and others known and unknown, unlawfully, intentionally, and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that JEFFREY SIMOES, the defendant, and others known and unknown, would and did distribute and possess with the intent to distribute a controlled substance, in violation of 21 U.S.C. § 841(a)(1).

3. The controlled substance involved in the offense was 1 kilogram and more of mixtures and substances containing a detectable amount of heroin, in violation of 21 U.S.C. § 841(b)(1)(A).

Overt Act

4. In furtherance of the conspiracy and to effect the illegal objects thereof, JEFFREY SIMOES, the defendant, committed

the following overt act, among others, in the Southern District of New York:

a. On or about February 4, 2008, JEFFREY SIMOES, the defendant, drove to the vicinity of Bartow Avenue near Baychester Avenue in the Bronx, New York.

(Title 21, United States Code, Section 846.)

COUNT TWO

The Grand Jury further charges:

5. On or about February 4, 2008, in the Southern District of New York and elsewhere, JEFFREY SIMOES, the defendant, unlawfully, intentionally, and knowingly did distribute and possess with intent to distribute a controlled substance, to wit, one hundred grams and more of mixtures and substances containing a detectable amount of heroin.

(Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(B); Title 18, United States Code, Section 2.)

Forfeiture Allegation

6. As a result of committing the controlled substances offenses alleged in Counts One and Two of this Indictment, JEFFREY SIMOES, the defendant, shall forfeit to the United States, pursuant to 21 U.S.C. Section 853, any and all property constituting or derived from any proceeds the said defendants obtained directly or indirectly as a result of the said controlled substances violations and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the

controlled substances violations alleged in Counts One and Two of this Indictment.

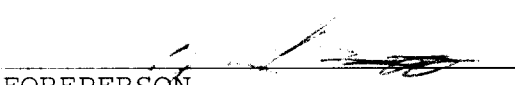
Substitute Asset Provision

7. If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendants:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intention of the United States, pursuant to 21 U.S.C. Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the above forfeitable property.

(Title 21, United States Code, Sections 841(a)(1), 846 and 853.)


FOREPERSON


PREET BHARARA
Acting United States Attorney

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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- v. -

JEFFREY SIMOES,

Defendant.

INDICTMENT

S1 09 Cr. 384

(Title 21, United States Code,
Sections 812, 841, 846; Title 18,
United States Code, Section 2)

PREET BHARARA

United States Attorney.

A TRUE BILL


Foreperson.

8/27/09
JMS

Indersued file

M J Gonsky